

**REMARKS**

Claims 1-7 and 9 are pending in this application. By this Amendment, claim 1 is amended and claim 8 is canceled without prejudice to or disclaimer of the subject matter contained therein.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration since the amendments amplify issues previously discussed throughout prosecution; (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

**I. The Claims Define Patentable Subject Matter**

The Office Action rejects claims 1, 2 and 6 under 35 U.S.C. 102(b) over McKechnie (U.S. Patent No. 4,730,897); rejects claims 3-5 under 35 U.S.C. § 103(a) over McKechnie in view of Goto1 (U.S. Patent Publication No. 2003/0137729); and rejects claims 7-9 under 35 U.S.C. § 103(a) over McKechnie in view of Goto2 (U.S. Patent No. 6,046,855). The rejections are respectfully traversed.

In particular, neither McKechnie, Goto1 nor Goto2, individually or in combination, discloses or suggests a microlens array portion having microlens arrayed in a vertical and horizontal direction such that the adjacent microlens have common edges and the microlens array is rotated by 45°, as recited in independent claim 1.

The Office Action on page 4 admits that McKechnie does not disclose or suggest the above-noted features of the claim. However, the Office Action asserts that Goto2 discloses these features. Applicants respectfully disagree.

Goto2 instead discloses in Fig. 14 and at column 2, lines 53-57 a relationship between the lens angle  $\phi$  at the base of the lens, and the emergent angle  $\theta$  and the position of the condensing point. Nowhere does Goto2 disclose or suggest the microlens array portion having microlens arrayed in a vertical and horizontal direction such that the adjacent microlens have common edges and the microlens array is rotated by  $45^\circ$ .

Goto1 does not compensate for the above-noted deficiencies of McKechnie and Goto2. Goto1 discloses in Fig. 2b and at paragraph [0050], lenticular lens sheet 21 where the lenticular lens 22 are arranged on a back side surface facing a Fresnel lens sheet 11.

Therefore, claim 1 defines patentable subject matter. Claims 2-7 and 9 depend on claim 1, and therefore also define patentable subject matter. Accordingly, withdrawal of the rejections under 35 U.S.C. §102(b) and 35 U.S.C. §103(a) are respectfully requested.

## **II. Provisional Double Patenting Rejection**

The Office Action provisionally rejects claim 1 under the judicially created doctrine of obviousness-type double patenting over claim 4 of co-pending Application No. 10/647,302. The rejection is respectfully traversed.

In particular, claim 4 of co-pending Application No. 10/647,302 does not recite nor render obvious a microlens array portion having microlens arrayed in a vertical and horizontal direction such that the adjacent microlens have common edges and the microlens array is rotated by  $45^\circ$ , as recited in independent claim 1.

Therefore, withdrawal of the rejection of claim 1 under the judicially created doctrine of obviousness-type double patenting is respectfully requested.

**III. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-7 and 9 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Yong S. Choi  
Registration No. 43,324

JAO:YSC/jam

Date: October 27, 2004

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--